

Amendment No. 1 to HB1214

Curcio  
Signature of Sponsor

**AMEND Senate Bill No. 1165**

**House Bill No. 1214\***

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 40-39-202, is amended by deleting subdivision (31)(N) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 40-39-207, is amended by adding the following as a new subsection:

(k)

(1) An offender who is required to register pursuant to this part because the offender was convicted of the offense of criminal exposure of another to human immunodeficiency virus (HIV) under § 39-13-109(a)(1) and the offense was committed prior to July 1, 2022, may file a request for termination of registration requirements with TBI headquarters in Nashville, if the offender would not be required to register if the offense was committed on or after July 1, 2022.

(2) Upon receipt of the request for termination, the TBI shall review documentation provided by the offender and contained in the offender's file and the SOR to determine whether the offender would not be required to register if the offender committed the same offense on or after July 1, 2022. In addition, the TBI shall conduct fingerprint-based state and federal criminal history checks to determine whether the offender has been convicted of any additional sexual offenses or violent sexual offenses.

(3) If the TBI determines that the offender would not be required to register if the offense was committed on or after July 1, 2022, that the offender has not been convicted of any additional sexual offenses or violent sexual offenses, and that the offender has substantially complied with this part and any previous versions of this part, then the TBI shall remove the offender's name from the SOR and notify the offender that the offender is no longer required to comply with this part.

(4) If the TBI determines that the offender would be required to register even if the offense had been committed on or after July 1, 2022, or that the offender has been convicted of any additional sexual offenses or violent sexual offenses during the period of registration, then the TBI shall not remove the offender's name from the SOR and shall notify the offender that the offender continues to be required to comply with this part.

(5) An offender whose request for termination of registration requirements is denied by a TBI official may petition the chancery court of Davidson County or the chancery court of the county where the offender resides, if the offender resides in this state, for review of the decision. The review shall be on the record used by the TBI official to deny the request. The TBI official who denied the request for termination of registration requirements may submit an affidavit to the court detailing the reasons the request was denied.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.